

REMARKS

This response is submitted in reply to the Office Action dated May 10, 2006. Claims 7-10 currently stand rejected. Applicants respectfully traverse.

In light of the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present application.

Claim Rejections - 35 USC §102

Claims 7-10 stand rejected under 35 U.S.C. §102(e) as being anticipated by Parry (U.S. Patent No. 7,002,703). Independent claims 7, 8, and 10 were rejected because Parry allegedly teaches a portable radio communication device comprising a transmitter, receiver, and processor that “in response to the receiver receiving an identity tag transmitted from a portable radio communication device, the processor authorizing the downloading of information via the network to another Web-based device [i.e., remote server or terminal] identified by address information associated with the identity tag (col. 11, lines 55-67).” (Brackets inserted by Examiner). Office Action Section 4 on page 3. Applicants respectfully traverse the rejections of independent claims 7, 8, and 10.

Independent claims 1 and 8 recite, *inter alia*, a transmitter for transmitting an identity tag indicative of the identity of the portable radio communication device. Meanwhile, independent claims 7 and 10 recite, *inter alia*, that in response to the receiver receiving an identity tag, the processor authorizes the downloading of information to a remote server or terminal identified by address information associated with the identity tag.

Parry is directed to devices that control the downloading of information via email messages (col. 9, line 15). Applicants initially note that email, which is well-known to those skilled in the art, is not an identity tag as recited in independent claims 7 and 8. As stated in independent claims 7 and 8, an identity tag is “indicative of the identity of the portable radio device.” An email message, on the other hand, indicates the identity of the person or persons (i.e., the sender’s or senders’ email address) who transmit the email message, and not the identity of the sending device. Accordingly, Parry fails to teach or suggest a transmitter for transmitting

an identity tag indicative of the identity of the portable radio communication device as recited in independent claims 7 and 8.

Parry also discloses a Web server on a printing device that is capable of downloading desired Web data from a remote Web site to a user's workstation or another web-based device. However, in contrast to the claimed invention, Parry discloses that such download of data to the user's workstation or other Web-based device occurs in response to a *user request* and not in response to receipt of an *identity tag* indicative of the portable radio communication device as claimed in independent claims 7 and 10. Furthermore, Parry fails to teach or suggest that the other Web-based device is identified by address information associated with an identity tag as recited in the claimed invention. Instead, Parry discloses that when sending data to the other Web-based device, the user may be provided with a form to fill out to specify the location of the other Web-based device. As a specific example, Parry states that “[b]y using the browser to interface with Web pages generated by Web server 52, the user may . . . then request Web server 52 to download the data and transmit it to the user's workstation, or even to another Web-based device, such a second printer. When requesting that the data in job retention be sent to a third-party Web-based device, Web server 52 could provide a CGI script-based form for the user to fill out in order to specify the Web-based location to which the data will be directed.” (Emphasis added.) Parry at column 11, lines 57-67. In summary, independent claims 7 and 10 describe the downloading of information to a remote server or terminal in response to receipt of an identity tag, whereas Parry describes the downloading of information to a remote server or terminal in response to a user request, in which the user is required to specify the address of the remote device. Thus, Parry fails to teach or suggest that in response to the receiver receiving an identity tag, the processor authorizes the downloading of information to a remote server or terminal identified by address information associated with the identity tag as recited in independent claims 7 and 10.

Accordingly, for at least the reasons given above, independent claims 7, 8 and 10 are patentable over Parry. Dependent claim 9 depends directly from independent claim 8 and therefore includes all the recitations of independent claim 8. Thus, dependent claim 9 is

Appl. No.: 09/920,888
Resp. dated 08/03/2006
Reply to Office Action of 5/10/2006

patentable for at least those reasons given above for independent claim 8. Therefore, Applicants respectfully submit that the rejections of claims 7-10 are overcome.

Appl. No.: 09/920,888
Resp. dated 08/03/2006
Reply to Office Action of 5/10/2006

CONCLUSION

In view of the foregoing comments, Applicants submit that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Chad L. Thorson
Registration No. 55,675

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON AUGUST 3, 2006.
LEGAL02/30015768v1